

02/25/02

|   |                                 |                     |                                   |   |                       |
|---|---------------------------------|---------------------|-----------------------------------|---|-----------------------|
| UTILITY PATENT APPLICATION TRANSMITTAL<br>(for nonprovisional applications under 37 C.F.R. § 1.53(b)) |                                 |                     | Attorney Docket No.<br>RILO.95943 |   |                       |
|   |                                 |                     | Express Mail No.<br>EL276179843US |   |                       |
| TO: Box Patent Application, Commissioner of Patents, Washington, D.C. 20231                           |                                 |                     |                                   |   |                       |
| PTO   | Last Name<br>Inventor(s): Riley | First Name<br>Lorri | Middle Initial<br>A.              | Residence (City /State/Zip/Country)<br>Spearfish, South Dakota, 55783, U.S.A. | Citizenship<br>U.S.A. |
| Title: A TOPICAL FORMULATION FOR TREATING FINGERNAILS AND TOENAILS                                    |                                 |                     |                                   |   |                       |

10/08/2002  
1971 U.S. PTO  
02/22/02

Enclosed are:

|                                       |   |
|---------------------------------------|---|
| <input checked="" type="checkbox"/>   | Non-Publication Request Under 35 U.S.C. § 122(b)(2)(B)(i)   |
| <input checked="" type="checkbox"/> 9 | pages of specification including abstract   |
|                                       | sheet(s) of drawings  |
|                                       | an assignment of the invention to:  |
| <input checked="" type="checkbox"/>   | Declaration of Inventor(s): <input checked="" type="checkbox"/> Newly executed <input type="checkbox"/> Copied from a prior application (for contin/div)  |
|                                       | Incorporation by Reference: the entire disclosure of the prior application, from which the copy or copies of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein. |
| <input checked="" type="checkbox"/>   | small entity status is claimed.   |
|                                       | small entity status was requested in prior application; status still proper and desired.  |
|                                       | Information Disclosure Statement/PTO-1449/Copies of IDS citations.  |
|                                       | Benefit is claimed under 35 U.S.C. 119(e) of U.S. Provisional Application No. _____.  |
|                                       | Other: _____  |

If a Continuing Application: Check appropriate box, and supply the requisite information below:

|                                       |                                     |   |                                |
|---------------------------------------|-------------------------------------|---|--------------------------------|
| <input type="checkbox"/> Continuation | <input type="checkbox"/> Divisional | <input type="checkbox"/> Continuation-in-Part (CIP) | of prior application no. _____ |
| Prior application information:        |                                     | Examiner:   | Group Art Unit: _____          |

## CLAIMS AS FILED

|                                  | NUMBER FILED | NUMBER EXTRA | RATE    | FEES   |
|----------------------------------|--------------|--------------|---------|--------|
| BASIC FEE                        | 18           | 0            | \$740   | \$ 740 |
| TOTAL CLAIMS                     | 18- 20 =     | 0            | X \$ 18 | \$ 0   |
| INDEPENDENT CLAIMS               | 3 - 3 =      | 0            | X \$ 84 | \$ 0   |
| MULTIPLE DEPENDENT CLAIM PRESENT |              |              | \$280   | \$     |

\* Number extra must be zero or larger TOTAL \$ 740

|  |                           |
|--|---------------------------|
| If applicant has small entity status under 37 CFR 1.9 and 1.27, then divide total fee by 2, and enter amount here. | SMALL ENTITY TOTAL \$ 370 |
|--|---------------------------|

|                                     |   |
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| <input checked="" type="checkbox"/> | A check in the amount of \$ 370.00 to cover the filing fee is enclosed.   |
| <input checked="" type="checkbox"/> | Commissioner is hereby authorized to charge/credit Deposit Acct. No. 19-2112 as described below. Enclosed is a duplicate of this sheet. |
| <input type="checkbox"/>            | Charge the amount of \$ _____ as filing fee.  |
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| <input checked="" type="checkbox"/> | Charge any additional filing fees required under 37 CFR 1.16 and 1.17.  |

*Susan J. Wharton*  
Signature

2/22/02  
Date

Correspondence Address: →

Name: Susan J. Wharton Reg. No.: 41,524  
SHOOK, HARDY & BACON L.L.P.  
1200 Main Street  
Kansas City, MO 64105-2118

Phone: 816-474-6550  
Fax: 816-421-5547

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|   |  |                      |             |
|---|--|----------------------|-------------|
| <b>NONPUBLICATION REQUEST<br/>UNDER<br/>35 U.S.C. 122(b)(2)(B)(i)</b> |  | First Named Inventor | LORRI RILEY |
| Title   | A TOPICAL FORMULATION FOR TREATING<br>FINGERNAILS AND TOENAILS |                      |             |
|   |  | Atty Docket Number   | RILO.95943  |

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing.

I hereby request that the attached application not be published under 35 U.S.C. 122(b).

2-18-02

Date



Signature

Lorri A. Riley

Typed or printed name

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication request at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**

**Burden Hour Statement:** This collection of information is required by 37 CFR 1.213(a). The information is used by the public to request that an application not be published under 35 U.S.C. 122(b) (and the PTO to process that request). Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This form is estimated to take 6 minutes to complete. This time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.